

Practitioner's Docket No. 525-022-4

CHAPTER II

#4

IN THE UNITED STATES ELECTED OFFICE (EO/US)

INTERNATIONAL APPLICATION NO. PCT/SE00/01482	INTERNATIONAL FILING DATE July 12, 2000	PRIORITY DATE CLAIMED July 15, 1999
TITLE OF INVENTION INFORMATION CARRIER		
APPLICANT(S) Dani DUROJ Box PCT Assistant Commissioner for Patents Washington, D.C. 20231 ATTENTION: EO/US		

**COMPLETION OF FILING REQUIREMENTS
FOR INTERNATIONAL APPLICATION ENTERING U.S. NATIONAL STAGE
IN U.S. ELECTED OFFICE (EO/US) UNDER 35 U.S.C. § 371**

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is **mandatory**;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

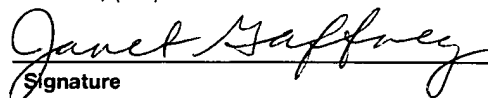
MAILING

- ☒ deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231
37 C.F.R. § 1.8(a) 37 C.F.R. § 1.10 *
- ☐ with sufficient postage as first class mail. ☒ as "Express Mail Post Office to Addressee"
Mailing Label No. EV005526235US (mandatory)

TRANSMISSION

- ☐ facsimile transmitted to the Patent and Trademark Office, (703) _____

Date: 2/25/02


Signature

Janet Gaffney

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

(check and complete the applicable item, if applicable)

☐ This replies to the Notice of Missing Requirements under 35 U.S.C. § 371 and 37 C.F.R. § 1.495 (FORM PCT/DO/EO/905).

☐ A copy of FORM PCT/DO/EO/905 accompanies this response.

WARNING: Where the items being submitted to complete the entry of the international application into the national phase are subsequent to 30 months from the priority date the application is still considered to be in the international state and if mailing procedures are utilized to obtain a date the express mail procedure of 37 C.F.R. § 1.10 must be used (because international application papers are not covered by an ordinary certificate of mailing. 37 C.F.R. § 108(2)(xi).

NOTE: Documents and fees must be clearly identified as a submission to enter the national stage under 35 U.S.C. § 371. Otherwise, the submission will be considered as being made under 35 U.S.C. § 111. 37 C.F.R. § 1.495(g).

DECLARATION OR OATH

I. ☒ No original declaration or oath was filed. Enclosed is the original declaration or oath for this application.

OR

☐ The declaration or oath that was filed was determined to be defective. A new original oath or declaration is attached.

NOTE: For surcharge fee for filing declaration after filing date complete item IV(2).

NOTE: Acceptable minimums in the declaration in an ordinarily filed U.S. application for identification of the specification to which it applies are:

(A) application number (consisting of the series code and the serial number, e.g., 08/123,456);

(B) serial number and filing date;

(C) attorney docket number which was on the specification as filed;

(D) title which was on the specification as filed and reference to an attached specification which is both attached to the oath or declaration at the time of execution and submitted with the oath or declaration; or

(E) title which was on the specification as filed and accompanied by a cover letter accurately identifying the application for which it was intended by either the application number (consisting of the series code and the serial number, e.g., 08/123,456), or serial number and filing date. Absent any statement(s) to the contrary, it will be presumed that the application filed in the PTO is the application which the inventor(s) executed by signing the oath or declaration.

M.P.E.P. § 601.01(a), 7th ed. Notice of September 12, 1983 (1035 O.G. 3). See M.P.E.P. § 601.01(a), 7th ed.

NOTE: Another minimum found acceptable in the declaration is the filing date (i.e., date of express mail) and the express mail number, useful where the serial number is not yet known. But note the practice where the express mail deposit is a Saturday, Sunday or holiday within the District of Columbia. 37 C.F.R. § 1.10(c).

NOTE: See 37 C.F.R. § 1.41(a).

☐ The original oath was objected to. A new original oath is attached.

(complete (c) or (d), if applicable)

Attached is a

(c) ☐ Statement by a registered attorney that the application filed in the PTO is the application that the inventor executed by signing the declaration.

(d) ☐ Statement that the "attached" specification is a copy of the specification and any amendments thereto that were filed in the PTO to obtain the filing date.

AMENDMENT

II.

(complete as applicable)

- ☐ An amendment in accordance with 37 C.F.R. § 1.121 is attached.
☐ The attached amendment cancels claims _____ inclusive.

**TRANSMITTAL OF ENGLISH TRANSLATION
OF NON-ENGLISH LANGUAGE PAPERS**

- III. ☐ Submitted herewith is an English translation of the non-English language international application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the PTO. (See 37 C.F.R. § 1.495(c))

NOTE: For fee for processing a non-English application, complete item IV(3).

NOTE: A non-English oath or declaration in the form provided or approved by the PTO need not be translated. 37 C.F.R. § 1.69(b).

FEES

IV.

NOTE: See 37 C.F.R. § 1.28(a).

1. Fees for claims

- ☐ each independent claim in excess of 3
(37 C.F.R. § 1.492(b))—\$84.00; small entity—\$42.00 \$ _____
☐ each claim in excess of 20
(37 C.F.R. § 1.492(c))—\$18.00; small entity—\$9.00 \$ _____
☐ multiple dependent claims(s)
(37 C.F.R. § 1.492(d))—\$280.00; small entity—\$140.00 \$ _____

2. Surcharge fees

- ☒ surcharge set forth in 37 C.F.R. § 1.492(e) for accepting
the declaration later than 30 months after the priority
date in filing an application in the U.S. as a designated
office—\$130.00; small entity—\$65.00 \$ 130.00

NOTE: The processing fee in the next item 3 below is not subject to a reduction for small entity status.

3. ☐ processing fee set forth in 37 C.F.R. § 1.492(f) for
acceptance of an English translation later than 30
months after the priority date—\$130.00 \$ _____

Total fees \$ 130.00

SMALL ENTITY STATUS

- V. a. ☐ An assertion that this filing is by a small entity

NOTE: See 37 C.F.R. § 1.28(a).

(check and complete applicable items)

- ☐ is attached.
☐ was filed on _____.
☐ was made by paying the basic national fee as a small entity.
☐ is being made now by paying the basic national fee as a small entity.
b. ☐ A separate refund request accompanies this paper.

(Completion of Filing Requirements for International Application Entering U.S. Elected Office (EO/US)

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EXTENSION OF TIME

(complete (a) or (b), as applicable)

VI. The proceedings herein are for a patent application. Accordingly, the provisions of 37 C.F.R. § 1.136(a) apply.

(a) ☐ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a)(1)-(4), for the total number of months checked out below:

<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 400.00	\$ 200.00
<input type="checkbox"/> three months	\$ 920.00	\$ 460.00
<input type="checkbox"/> four months	\$ 1,440.00	\$ 720.00
<input type="checkbox"/> five months	\$ 1,960.00	\$ 980.00

Fee: \$ _____

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

☐ An extension for _____ months has already been secured. The fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ _____

or

(b) ☒ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

TOTAL FEE DUE

VII. The total fee due is:

Completion fee(s)	\$ 130.00
Extension fee (if any)	\$ --
TOTAL FEE DUE	\$ 130.00

PAYMENT OF FEES

VIII.

☒ Attached is a ☒ check ☐ money order in the amount of \$ 130.00

☐ Authorization is hereby made to charge the amount of \$ _____

☐ to Deposit Account No. _____

☐ to Credit card as shown on the attached credit card information authorization form PTO-2038.

WARNING: Credit card information should **not** be included on this form as it may become public.

☐ Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this paper is attached.

(Completion of Filing Requirements for International Application Entering U.S. Elected Office (EO/US)
[13-19]—page 4 of 5)

AUTHORIZATION TO CHARGE ADDITIONAL FEES

IX.

WARNING: Accurately count claims, especially multiple dependant claims, to avoid unexpected high charges if extra claims are authorized.

NOTE: "A written request may be submitted in an application that is an authorization to treat any concurrent or future reply, requiring a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. An authorization to charge all required fees, fees under § 1.17, or all required extension of time fees will be treated as a constructive petition for an extension of time in any concurrent or future reply requiring a petition for an extension of time under this paragraph for its timely submission. Submission of the fee set forth in § 1.17(a) will also be treated as a constructive petition for an extension of time in any concurrent reply requiring a petition for an extension of time under this paragraph for its timely submission." 37 C.F.R. § 1.136(a)(3).

NOTE: "Amounts of twenty-five dollars or less will not be returned unless specifically requested within a reasonable time, nor will the payer be notified of such amounts; amounts over twenty-five dollars may be returned by check or, if requested, by credit to a deposit account," 37 C.F.R. § 1.26(a).

☒ Please charge, in the manner authorized above, the following additional fees that may be required by this paper and during the entire pendency of this application:

☒ 37 C.F.R. §§ 1.492(a)(1), 1.492(a)(4) (filing fees)

☒ 37 C.F.R. § 1.492(b), (c), and (d) (presentation of extra claims)

NOTE: Because additional fees for excess or multiple dependent claims not paid on filing or on later presentation must only be paid or these claims cancelled by amendment prior to the expiration of the time period set for response by the PTO in any notice of fee deficiency (37 C.F.R. § 1.16(d)), it might be best not to authorize the PTO to charge additional claim fees, except possibly when dealing with amendments after final action.

☒ 37 C.F.R. § 1.17 (application processing fees)

☒ 37 C.F.R. § 1.17(a)(1)–(5) (extension fees pursuant to § 1.136(a)).

☐ 37 C.F.R. § 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 C.F.R. § 1.311(b)).

NOTE: Where an authorization to charge the issue fee to a deposit account has been filed before the mailing of a Notice of Allowance, the issue fee will be automatically charged to the deposit account at the time of mailing the notice of allowance. 37 C.F.R. § 1.311(b).

NOTE: 37 C.F.R. § 1.28(b) requires "Notification of any change in loss of entitlement to small entity status must be filed in the application . . . prior to paying, or at the time of paying . . . issue fee." From the wording of 37 C.F.R. § 1.28(b): (a) notification of change of status must be made even if the fee is paid as "other than a small entity" and (b) no notification is required if the change is to another small entity.

☒ 37 C.F.R. § 1.492(e) and/or (f) surcharge fees for filing the declaration and/or an English translation of an international application later than 30 months from the earliest-claimed priority date.

WARNING: It would be wise to always check this last authorization.

Reg. No.: 30,927

Tel. No.: (203) 261-1234

Customer No.: 004955


SIGNATURE OF PRACTITIONER

K. Bradford Adolphson

Ware, Fressola, Van der Sluys & Adolphson LLP

(type or print name of practitioner)

Bradford Green, Bldg. 5, 755 Main Street

P.O. Address

P.O. Box 224, Monroe, CT 06468

Practitioner's Docket No. 525-022-4

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Dani Duroj
 Application No.: 0 10/031,297 Group No.:
 Filed: January 14, 2002 Examiner:
 For: INFORMATION CARRIER

Assistant Commissioner for Patents
 Washington, D.C. 20231

EXPRESS MAIL CERTIFICATE

"Express Mail" label number EV005526235US

Date of Deposit February 25, 2002

I hereby state that the following *attached* paper or fee

Self-addressed, stamped postcard;
 Completion of Filing Requirements (EO/US);
 Combined Declaration/Power of Attorney; and
 Check for fee - \$130.00

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10, on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Janet Gaffney

Typed or printed name of person mailing paper or fee

Janet Gaffney

Signature of person mailing paper or fee

NOTE: The label number need not be placed on each page. It should, however, be placed on the first page of each separate document, such as, a new application, amendment, assignment, and transmittal letter for a fee, along with the certificate of mailing by "Express Mail." Although the label number may be on checks, such a practice is not required. In order not to deface formal drawings it is suggested that the label number be placed on the back of each formal drawing or the drawings be accompanied by a set of informal drawings on which the label number is placed.

(Express Mail Certificate [8-3])